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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/767,601	01/28/2004	David C. Loda	PA-085.11078-US (05-535)	5200
52237 7590 05/01/2008 BACHMAN & LAPOINTE, P.C. (P&W) 900 CHAPEL STREET SUITE 1201 NEW HAVEN, CT 06510-2802			EXAMINER TRAN, DALENA	
			ART UNIT 3664	PAPER NUMBER
			MAIL DATE 05/01/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/767,601	<b>Applicant(s)</b> LODA ET AL.	
	<b>Examiner</b> Dalena Tran	<b>Art Unit</b> 3664	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 February 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-12,46 and 47 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-12,46 and 47 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11/13/07</u> .  | 6) <input type="checkbox"/> Other: _____                          |

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10767601	1/28/04	LODA ET AL.	PA-085.11078-US (05-

535)

BACHMAN & LAPOINTE, P.C. (P&W)  
900 CHAPEL STREET  
SUITE 1201  
NEW HAVEN, CT 06510-2802

**EXAMINER**

Dalena Tran

**ART UNIT****PAPER**

3664

20080425

**DATE MAILED:**

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

## **DETAILED ACTION**

### **Notice to Applicant(s)**

1. This office action is responsive to the amendment filed on 2/12/08. As per request, claim 1 has been cancelled. Claims 46-47 has been added. Thus, claims 1-3, 5-12, and 46-47 are pending.

The withdrawn claims 13-45 should be cancelled.

The prior art submitted on 11/13/07 has been considered.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1 recites the limitation "the microserver card" in line 7. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-3, 5-12, and 46-47, are rejected under 35 U.S.C. 102(e) as being anticipated by McCarthy, IV et al. (6990432).

As per claim 1, McCarthy, IV et al. disclose a gas turbine engine, comprising: a compressor section; a combustion section downstream of the compressor section; a turbine section downstream of the combustion section; a casing surrounding the compressor sector, combustion section and turbine section (see column 2, lines 29-51), and an electronic controller mounted to the casing, the electronic controller controlling and monitoring operation of the engine and having a microserver, wherein the microserver card generates a wireless system surrounding the engine and adapted to connect to the Internet (see columns 2-3, lines 52-3).

As per claim 2, McCarthy, IV et al. disclose the microserver resides on a card (see column 3, lines 4-33).

As per claims 3, and 5, McCarthy, IV et al. also disclose the microserver card hosts a web page, wherein the webpage has an IP address available for a plurality of Internet protocols, and the microserver card is communicably coupled to other cards within the electronic control box (see columns 3-4, lines 34-28).

As per claims 6-8, McCarthy, IV et al. also disclose the microserver is communicably wirelessly coupled to sensors installed on the engine, the microserver is hard-wired to the sensors, and communicates with the sensors wirelessly (see columns 2-3, lines 52-3).

As per claims 9, and 11-12, McCarthy, IV et al. disclose the microserver communicates by way of radio frequency identification tags, cellular network, and satellite (see columns 4-5, lines 29-28).

As per claim 10, McCarthy, IV et al. disclose the microserver card connects to the Internet by way of a local area network (see columns 3-4, lines 34-28).

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As per claim 46, McCarthy, IV et al. disclose controlling the engine; and a microserver for generating a wireless system adapted to connect to the Internet (see columns 2-4, lines 52-28).

As per claim 47, McCarthy, IV et al. disclose the engine is a gas turbine engine (see column 1, lines 40-67).

### **Remarks**

5. Applicant's argument filed on 2/12/08 has been fully considered. Upon updated search, the new ground of rejection has been set forth as above.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dalena Tran whose telephone number is 571-272-6968. The examiner can normally be reached on M-W (in a first week of a bi-week), and T-R (in a second week of bi-week) from 7:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Khoi H. Tran can be reached on 571-272-6919. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dalena Tran/  
Primary Examiner, Art Unit 3664  
April 25, 2008